

Involuntary Commitment

A Profile of Thomas Szasz

In the United States, government has exercised more direct control over mental patients than it ever had over American Indians or black slaves. Mental patients have had what ever independence they possessed obliterated by the administration of drugs, electroshock, insulin shock, lobotomies, and other so-called treatments. Supposedly, these people suffer from "mental illness," which has been the rationale for husbands' committing unwanted wives into mental institutions, families' dumping embarrassing relatives, and communities' putting away social



deviants. While the number of people in mental hospitals has declined in the United States during the past four decades, the number of people in other government-funded and insurance-funded programs has increased. These programs involve veterans administration hospitals, general hospitals, nursing homes, alcohol and drug rehabilitation centers, forensic psychiatric facilities, government housing projects, single room occupancy hotels, boardinghouses, and shelters, as well as prisons and jails. The number of people in all these places is estimated around 1 million.

More than anyone else in recent times, psychiatrist Thomas S. Szasz has expressed opposition to involuntary

commitment, and his writings inspired the movement to restore the civil liberties of patients. "In a free society," he declared, "I don't believe anybody should be deprived of his liberty on any ground other than accusation, trial and being found guilty of a criminal charge... Mental patients in the United States... suffer wide spread and grievous violations of their constitutional rights. I believe that today these people, more than members of particular racial or religious groups, are the principal scapegoats of our society ." He added: "State hospitals have been notorious for their neglect, and indeed abuse, of the mental patient. There is evidence that incarceration in a mental hospital may be more harmful for the personality than incarceration in a prison. "

Szasz denounced the psychiatric theory that "decisions are somehow secreted by the brain just as sugar is secreted by the kidney when you have diabetes. It's not a decision. It comes out. Well, I believe in free will. I believe that what people do cannot be the proper subject matter of

some kind of deterministic investigation. People can make choices and ought to be held responsible in various ways for what they do in life."

Szasz was widely blamed when government mental hospitals began deinstitutionalizing — suddenly releasing large numbers of patients. Rael Jean Isaac and Virginia C. Armat, in *Madness in the Streets: How Psychiatry and the Law Abandoned the Mentally Ill* (1990), claimed, "It is Szasz's ideology that is truly inhumane." Harvard Law School professor Alan Dershowitz remarked that "you can't believe Szasz's arguments." Journalist Pete Hammill, writing in the *New York Times Magazine*, called Szasz a "crackpot." But deinstitutionalization had begun in about 1955, eight years before Szasz's first major attack on involuntary commitment.

Deinstitutionalization was mainly the consequence of financial pressure on state budgets. Many deinstitutionalized patients fared poorly, their spirit of independence crushed by prolonged deprivation of liberty, isolation from family members and work, and the effects of gruesome psychiatric "treatments."

Szasz has spoken out for everyone persecuted because of peaceful deviant behavior. This has included reading forbidden books, having unorthodox sex, and ingesting substances that authorities disapproved of. "To the extent that people have characteristics that set them apart from others," he insisted, "the truly liberal and humane attitude toward these differences can only be one of acceptance."

Szasz's work has become known around the world, translated into Czech, Dutch, French, German, Greek, Hungarian, Italian, Japanese, Serbo-Croatian and Swedish. He has lectured at Harvard, Yale, Princeton, Columbia, University of Michigan, University of California (Berkeley, Los Angeles, Sacramento), and other campuses across the United States. In addition, he has given lectures in more than a dozen countries. Among the awards he has received are the Mencken Award and the Patient's Rights Advocate Award. San Francisco's Center for Independent Thought established the annual Thomas S. Szasz Award for Contributions to the Cause of Civil Liberties.

Irving Louis Horowitz, Hannah Arendt Distinguished Professor of Sociology and Political Science, Rutgers University, observed, "Ultimately, the achievement of Szasz is the unique ability to bring into a discipline which, ostensibly at least, has come to pride itself on its indifference to moral claims, precisely a sense of morality—an ethic of responsibility... When everyone from the street pusher to the university president can claim a victim status, it is precisely this sense of ethical responsibility that vanishes behind a cloud of psychiatric smoke."

Szasz is a wiry man, five-feet, eight-inches tall who likes to dress well. He has led a vigorous life, hiking, playing tennis, and swimming almost every day. A *Philadelphia Inquirer* reporter was impressed by Szasz's "emotional intensity and intellectual vitality." *Cosmopolitan* called Szasz "a witty and moving speaker, whose unusual views—and verbal gymnastics—attract large audiences."

Donald Oken, former chair of psychiatry at the Upstate Medical Center in Syracuse, New York, told the *New York Times*: "When people hear I was head of the department Tom Szasz is in, they can't wait to hear what wild fantastic stories I have to tell. You'd have to know Tom personally to realize how ridiculous that idea is. He sounds polemical in his writing, but he's nothing like that. He's a warm, personable guy—there's absolutely nothing flamboyant about him. He wears a dark gray flannel suit to work every day. He's a conservative person basically."

Historian Ralph Raico wrote, "Against the current of a culture that would deny it, Szasz restores the human world of purpose and choice, of right and wrong. For friends of liberty, he is one of the most important intellectuals alive today."

THOMAS STEPHEN SZASZ was born in Budapest, on April 15, 1920. His mother was Lily Wellisch, the daughter of a grain trader. His father, Julius Szasz, was trained as a lawyer and owned some buildings in Budapest. Julius was an atheist, but his passport indicated he was Jewish (Hungarian passports specified the bearer's religion or ancestry). Thomas had an older brother, George.

There was a partnership between Jews and non-Jews, as Columbia University historian Istvan Deak explained: "From the 1840s to the onset of the First World War, the Hungarian gentry and the Jewish social elite had quietly worked together to modernize Hungary. The Jews had taken charge of economic development, and the aristocracy and gentry had governed the country." Jews still had to beware. The ruler of Hungary was Miklos Horthy, who promoted "Christian nationalism," which meant anti-Semitism. The gentile middle class began lobbying for preferential treatment against Jews, and Horthy's legislature enacted quotas effectively limiting the number of Jews who could be admitted to universities.

Szasz attended fine schools, where he studied Latin, French, German, mathematics, physics, history, and Hungarian literature for eight years. In his German classes, he loved reading works by Friedrich Schiller, the great German dramatist who championed liberty. Szasz read works by Leo Tolstoy, the Russian author whose work expressed a spirit of individualism. "I was very much influenced by Mark Twain," he added. "I loved *Tom Sawyer* and *Huckleberry Finn*. I wanted to become a writer."

His uncle Otto was a theoretical mathematician who emigrated to Frankfurt, Germany, where he taught university courses. After Hitler seized power in 1933 and Jewish professors were fired, Otto Szasz emigrated to the United States and became a research professor at the University of Cincinnati. When he visited his family in Budapest once a year, he always talked about America, which was clearly the place to be. Finally, in 1938, the family prepared to leave Hungary. Because of government restrictions severely limiting mobility, they had to do it in steps. Julius Szasz obtained a visa for France, where he had relatives. Once in Paris, he obtained a visa for Holland, and there he applied for a visa to the United States. At that time, the United States assigned immigration quotas based on where an individual was born. Julius was from a town north of Bratislava in what became Czechoslovakia. The quota for Czechoslovakia was small, but very few people applied for it, and he was able to obtain a visa. After arriving in America, he requested preference visas for his wife and children. Then Thomas and George followed the same route. Their mother came a little later, after taking care of business in Budapest.

Thomas and George arrived in the United States on October 25, 1938, not knowing a word of English. They were met by their mother's sister, who helped them proceed to Cincinnati, where the plan was to see Otto. They couldn't stay with him, since he rented a single room,

but he arranged for Thomas to audit classes at the University of Cincinnati, so he could begin learning English. Thomas did odd jobs like working as a chauffeur.

Otto arranged for Thomas to enroll at the university. He went on to medical school there, graduating first in his class and becoming an American citizen. During these years, about the only book he read relating to liberty was John Stuart Mill's *On Liberty*. He did a one-year internship at Boston City Hospital, then became a medical resident at the University of Chicago Clinics, and was trained in psychoanalysis at the prestigious Chicago Institute for Psychoanalysis.

Meanwhile, he met and fell in love with Rosine Loshkajian, an Armenian-Lebanese social worker in Chicago. Married on December 19, 1951, they had two daughters. Margot, born in 1953, became a dermatologist at the Mayo Clinic. Susan, born in 1955, became a reference librarian at Cornell University. Thomas and Rosine Szasz were married nineteen years until their divorce in 1970.

His first scholarly journal article appeared in September 1947 (on congestive heart failure), and for a number of years he contributed articles to respected medical journals like *Archives of Internal Medicine* and *American Journal of Psychiatry*. In 1956, he was appointed a professor of psychiatry at the State University of New York Health Science Center in Syracuse, where he has remained. That year, he began writing articles that anticipated his later themes. Szasz's first book, *Pain and Pleasure* (1957), offered gentle criticism of the psychiatric (medical) view that all pain has some kind of physical basis for which medication is appropriate. A year after he was awarded tenure, he published his first big book, *The Myth of Mental Illness* (1961). He saw it as flowing naturally from *Pain and Pleasure*, but it shocked the psychiatric profession. In *The Myth of Mental Illness*, he maintained that while psychiatrists label certain forms of behavior as mental illness, it isn't in any way comparable to an illness caused by something like a virus or bacteria. These, Szasz explained, could cause a disease of the brain, but not "mental illness."

The doctrine of "mental illness" had serious consequences. First, labeling behavior as mental illness meant no longer holding people responsible for their actions. Murderers, for instance, could avoid being convicted by pleading insanity—after having been pronounced "insane" by a psychiatrist. Second, psychiatrists gained the power to commit people involuntarily into mental institutions. Far from being the agent of a patient to help treat a physical disease, psychiatrists were often agents of the state.

After *The Myth of Mental Illness* appeared, Szasz testified in the defense of John Chomentowski, an Onondaga County, New York, man who fired warning shots at "goons" sent by a real estate developer who wanted to take over his property before the agreed-on date. Police arrested him, government psychiatrists claimed he was mentally incompetent, and he was committed to Matteawan State Hospital for the Criminally Insane. "Szasz testified at a habeas corpus hearing in which Chomentowski was suing to gain his freedom from confinement," recalled psychiatrist Ronald Leifer. "The trial, which I attended, was a highly anticipated event in psychiatric circles, since for the first time Szasz was in an adversarial confrontation with conventional psychiatrists in a public forum ... He believed that mental hospitals are prisons and that, in effect, Mr. Chomentowski had been imprisoned without having been convicted of a crime. He translated the state hospital psychiatrists' psychobabble testimony into ordinary language with devastating effect."

The county commissioner of mental health, Abraham Halpern, filed a protest with New York State commissioner of mental hygiene, Paul Hoch, who ordered Szasz to stop teaching at Syracuse Psychiatric Hospital. The *Psychiatric Quarterly* published an attack, "Szasz for the Gander." Two of Szasz's compatriots were fired, but Szasz held onto his teaching job because he fought back, and he had tenure.

Szasz expanded his attack on mental illness in *Law, Liberty and Psychiatry* (1963): "The notion of mental illness derives its main support from such phenomena as syphilis of the brain or delirious conditions—intoxication, for instance—in which persons may manifest certain disorders of thinking and behavior. Correctly speaking, however, these are diseases of the brain, not of the mind. According to one school of thought, all so-called mental illness is of this type. The assumption is made that some neurological defect, perhaps a very subtle one, will ultimately be found to explain all the disorders of thinking and behavior. Many contemporary psychiatrists, physicians and other scientists hold this view, which implies that people's troubles cannot be caused by conflicting personal needs, opinions, social aspirations, values, and so forth. These difficulties—which I think we may simply call problems in living—are thus attributed to physiochemical processes which in due time will be discovered (and no doubt corrected) by medical research...[but] a person's belief—whether it be in Christianity, in Communism, or the idea that his internal organs are rotting and that his body is already dead—cannot be explained by a defect or disease of the nervous system."

Involuntary commitment is worse than going to prison, Szasz pointed out, because prisoners are released after serving their sentence, if not before, whereas individuals in a mental hospital are doomed to remain there indefinitely, at the discretion of psychiatrists. "Neither internists nor obstetricians nor surgeons operate special institutions for involuntary patients, nor are they authorized by law to subject people to treatments they do not want," Szasz wrote. "The mental patient enters the hospital in one of two ways: voluntarily or involuntarily. It must be emphasized that in neither case does he have a true contractual relationship with the hospital. Irrespective of the method of entry, the patient finds himself in a committed status...If a patient enters a mental hospital voluntarily, and with the understanding that he may leave at will, the psychiatrists may nevertheless refuse to release him...Voluntary admission is in fact voluntary commitment. Or to put it another way, the voluntary mental patient's role is a cross between the role of medical patient and prisoner."

What about the view that individuals ought to be committed if they're a danger to themselves or society? "In my opinion," Szasz wrote, "whether or not a person is dangerous is not the real issue. It is rather who he is, and in what way he is dangerous. Some persons are allowed to be dangerous to others with impunity. Also, most of us are allowed to be dangerous in some ways, but not in others. Drunken drivers are dangerous both to themselves and to others. They injure and kill many more people than, for example, persons with paranoid delusions of persecution. Yet people labeled paranoid are readily committable, while drunken drivers are not. Some types of dangerous behavior are even rewarded. Race-car drivers, trapeze artists, and astronauts receive admiration and applause...Thus, it is not dangerousness in general that is the issue here, but rather the manner or style in which one is dangerous."

Szasz dismissed the claim that mental hospitals have any ability to make patients better: "The damaging effects of mental hospitalization on the personality of the inmate are most convincingly demonstrated by the fact that so called chronic patients rarely try to escape. Persons confined in mental institutions for an appreciable length of time lose whatever social skills they had for getting along on the outside."

Psychiatrists throttled individual responsibility not only by committing people to mental institutions against their will, but also by certifying criminal defendants as insane. The vague, easily expanded rationale of mental illness has meant that all kinds of people have committed terrible crimes without being held accountable.

Law, Liberty and Psychiatry made Szasz a controversial figure, and he began writing for popular publications including *New York Times Magazine*, *New York Times Book Review*, *Boston Sunday Herald*, *Atlantic Monthly*, *Harpers*, *National Review*, *New Republic*, and *Science Digest*. Psychiatrists were outraged. Manfred Gutmacher, a psychiatrist who earned money testifying in criminal cases, snarled: "A bird that fouls its nest courts criticism."

Psychiatrists got a boost when Thorazine and other tranquilizers became readily available. Then came antipsychotic and antidepressant drugs. "As new generations of drugs were developed," Ronald Leifer explained, "the pharmacological treatment of mental illness appeared to be more cost effective and became more popular. Made more confident by drugs, psychiatrists have purged Szasz. His papers were unwelcome at psychiatric journals. It would be virtually impossible for anybody who shared his views on 'mental illness' to obtain a full-time academic position teaching psychiatric residents."

Yet psychiatrists have failed to prove that every human behavior has a physical cause that can be effectively treated with medication. *New York Times* science writer Natalie Angier reported: "Every time they think they have unearthed a real, analyzable gene to explain a mental disorder like manic depression or alcoholism, the finding dissolves on closer inspection or is cast into doubt." David Cohen, associate professor at the University of Montreal School of Social Work, observed that "after four decades of clinical use of neuroleptics [antipsychotic drugs], the following facts emerge from any gleaning of the contemporary psychiatric literature: clinicians do not agree on what constitutes rational use of these drugs; the optimal dose of any neuroleptic is unknown; for one-half of patients, the symptoms are not suppressed by the drugs or are made worse; drug effects are confused with psychiatric symptoms; despite a lack of data on long term therapeutic or toxic effects...the treatment of psychosis with neuroleptic drugs is, on a theoretical and practical level, in a state of confusion."

Amid all this controversy, Szasz wrote fifteen books. The most notable include *The Manufacture of Madness, A Comparative Study of the Inquisition and the Mental Health Movement* (1970); *The Age of Madness, A History of Involuntary Mental Hospitalization Presented in Selected Text* (1973); and *The Therapeutic State, Psychiatry in the Mirror of Current Events* (1984).

Szasz became even more controversial when he defied the conventional wisdom by denouncing the war on drugs. In his 1974 book *Ceremonial Chemistry*, Szasz discussed seven thousand years of history to show that there have always been drugs, and there have always been some "abusers," but when individuals are held responsible for any harm done to others, drug taking (and other harmful behavior) is kept in check.

Drug prohibition has revealed the blazing contradictions of government interference with private life, Szasz pointed out. People die from the impurities in illegal drugs, something that is virtually unknown when drugs are legal and drug manufacturers can be held liable. People die in fights among drug distributors who, because they are engaged in illegal activity, cannot litigate their claims. Innocent people are burglarized, robbed, and killed as drug users seek money for their habit because it's much more costly than it would be in an open market.

Szasz rejected the view that individuals are helplessly addicted by drugs and that the solution for addiction is to undermine the responsibility of individuals for their actions. He noted that all habits can be hard to break, But warned that having an entire population addicted to government is far more dangerous than having some people addicted to drugs he expanded his case in *Our Right To Drugs* (1992).

Throughout his life, Thomas Szasz has displayed courage to stand alone. He defied a powerful profession and was banished from influential journals; high government officials did their best to ruin his career. But he spoke out for the most of all horrible among us. He defended the equal rights of people who have no voice because they are locked away in mental institutions or languish in prisons for the "crime" of being different. He affirmed the compassion of liberty.

This tribute to Thomas Szasz is a chapter in *The Triumph Of Liberty*, by Jim Powell; The Free Press, 2000.

Thomas S. Szasz died in 2012.